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REMARKS

The undersigned requests a personal interview with the Examiner in charge of this application to discuss the issues raised below.

Claims 1-10 were rejected as being unpatentable over Morgan 4,598,908 in view of Marsh 5,725,460 and LaRossa 4,960,277.

Morgan discloses a weight lifting gym similar to the present invention but differing in several material respects. In this reference, cushion 15 swivels upwardly from a frame but there is no provision for swiveling down (see col. 3, lines 19-22). Cushion 16 appears to be stationary. In the present invention, the portion of cushion 28 which rests on the first end of the second frame is tiltable upwardly (see Fig. 4), and also can be tilted downwardly along with the first end of the frame as seen in Fig. 5. There is nothing in this reference, nor in any of the other two references, which suggests or teaches this type of structural arrangement, an important feature of the present invention.

Marsh has an adjustable weight lifter's bench and was cited for the telescoping vertical stanchions.

LaRossa shows a portable foldable weight lifter's bench and was cited for the foldable legs. The legs are foldable for storage purposes. In the present invention, the legs are foldable in order to rearrange the positioning of the cushions. Since the present invention is not a portable apparatus it is hard to understand how the teachings of LaRossa can suggest a feature for Morgan when that feature has to do with folding up the device for storage while in the present invention that feature has to do with changing the position of the user. In other words, there is a lacking in motivation.

In view of the excellent art cited, claim 1 has been extensively amended to recite that the first end of the second support frame is movable into a downwardly extending position (see Fig. 5) and that the forward portion of the cushion is tiltable upwards as seen in Fig. 4, and that the rear portion of the cushion is foldable downwardly (see page 22,

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second paragraph, of the specification). Another feature of the present invention added to claim 1 is that the second end of the second support frame when on the ground is located between the first and second elongated parallel spaced apart ground engaging members as is illustrated in Fig. 5, a feature also not found in any of the above references. This combination of features does not appear to be taught or suggested by any of the above references either singly or in any combination.

Claims 2-3 have been canceled.

The remaining claims, all depending sequentially from claim 1, have been amended where appropriate to recite additional details of the invention.

In view of the foregoing, it is believed that the claims in their present form clearly depart from the teachings of the above references and should be allowed.

A conscientious effort has been made to place this application in condition for immediate allowance. The Examiner is requested to call the undersigned or Mr. Kroll if further changes are required to obtain allowance of the application.

A favorable action is solicited.

Respectfully submitted,


LEONARD BELKIN
Reg. No. 18,063
Tel 301-254-8549

for MICHAEL I. KROLL
Reg. No. 26,755
171 Stillwell Lane
Syosset, New York 11791
Tel 516-367-7777

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CERTIFICATE OF FAXING

I hereby certify that this correspondence is being facsimile transmitted to the U. S.
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Leonard Belkin

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